

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

ALAN GOMEZ-MARENTES, *et al.*,

Defendants.

CASE NO. CR20-0092-JCC

ORDER

This matter comes before the Court on the parties' partially stipulated motion to continue trial (Dkt. No. 530).¹ Collectively, Defendants are charged by Second Superseding Indictment with multiple counts of conspiracy to distribute controlled substances and related crimes. (*See* Dkt. No. 378.) Trial is scheduled for October 4, 2021. (*See, e.g.*, Dkt. Nos. 490, 508.) This is a complex case involving twenty-one charged defendants. (*See* Dkt. No. 530 at 1.) The charges are the result of a multi-agency investigation. (*Id.*) Production to date is voluminous. It includes more than 158,000 items, including wiretap information, surveillance photos, and interdictions stops. (*Id.* at 4.) More is forthcoming. (*Id.* at 5.) As a result, the Court previously appointed a

¹ Defendants Estefhany Corea-Mendoza and Edgar Luna-Garcia seek a continuance to a date on or around April 25, 2022; Defendant Luis Arturo Magana-Ramirez does not agree to a continuance at all; and Defendant Benjamin Fuentes has not taken a position. (*See* Dkt. Nos. 530 at 1–2; 541 at 1.) All remaining Defendants who have appeared seek a continuance to sometime in the Fall 2022.

1 discovery coordinator in this case. (*See* Dkt. No. 271.) The parties indicate that additional time is
2 needed to review production, investigate the matter, and prepare for trial. (*Id.* at 6–7.)

3 Having thoroughly considered the motion and the relevant record, the Court FINDS that
4 the ends of justice served by granting a continuance outweigh the best interests of Defendants
5 and the public to a speedy trial. *See* 18 U.S.C. § 3161(h)(7)(A). Taking into account the exercise
6 of due diligence, the failure to grant a continuance would deny counsel for Defendants
7 reasonable time necessary for effective preparation, *see* 18 U.S.C. § 3161(h)(7)(B)(iv), and
8 would therefore result in a miscarriage of justice, *see* 18 U.S.C. § 3161(h)(7)(B)(i). This is
9 particularly true here, given the complexity of the investigation and resulting case. *See* 18 U.S.C.
10 § 3161(h)(7)(B)(ii). Moreover, the Court notes that a reasonable trial continuance as to any
11 defendant tolls the Speedy Trial Act period as to all joined co-defendants, even those who object
12 to a trial continuance or who refuse to submit a waiver under the Speedy Trial Act. *See* 18 U.S.C.
13 § 3161(h)(6); *United States v. Messer*, 197 F.3d 330, 337 (9th Cir. 1999).

14 Accordingly, the Court GRANTS the parties' motion (Dkt. No. 530) and ORDERS:

- 15 1. The October 4 2021 jury trial is CONTINUED until May 2, 2022.
- 16 2. The pretrial motions deadline is CONTINUED until February 4, 2022.
- 17 3. The period from the date of this order until May 2, 2022 is an excludable time period
18 under 18 U.S.C. § 3161(h)(7)(A).

19 DATED this 6th day of August 2021.

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John C. Coughenour
UNITED STATES DISTRICT JUDGE